

Serial No. **10/783,027**
Amdt. dated October 21, 2008
Reply to Office Action of July 24, 2008

Docket No. **LT-0048**

REMARKS/ARGUMENTS

Claims 35-68 are currently pending. By this Amendment, claims 35-36, 44, and 46-48 are amended, and claims 55-68 are added. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. No new matter is added. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

The Office Action rejected claims 35-40, 42-44, 46-52, and 54 under 35 U.S.C. §102(e) as being anticipated by Ogikubo, U.S. Patent Publication No. 2003/0063528. This rejection is respectfully traversed.

Independent claim 35 recites, *inter alia*, storing a plurality of resume marks, on a recoding medium, wherein each of the resume marks includes last playback position information having a presentation time stamp and mark type information, and wherein the mark type information represents whether an associated program is a most recently played program among the plurality of programs having resume marks stored therefore in the recoding medium. As such, each resume mark includes both the presentation time stamp and the mark type information.

The resume management information disclosed by Ogikubo, which appears to be viewed by the Examiner as corresponding to the claimed resume marks of independent claim 35, includes multiple resume information. Each resume information includes time information indicating a time when the resume information was recorded by a user, but it does not include a

mark type information indicating whether the associated resume information is the most recent information among the multiple resume information. As Ogibuko does not disclose or suggest every feature of independent claim 35 as required by 35 U.S.C. §102(e), Applicants respectfully submit that claim 35 is allowable over Ogibuko. Independent claims 44 and 47 include similar features, and are allowable over Ogibuko for similar reasons. Dependent claims 36-40, 42-43, 46, 48-52 are allowable over Ogibuko at least for the reasons discussed above with respect to independent claims 35, 44, and 47, from which they respectively depend, as well as for their added features.

The Office Action rejected claims 41, 45, and 53 under 35 U.S.C. §103(a) as being unpatentable over Ogikubo in view of Well Known Knowledge of the art. The rejection is respectfully traversed.

Dependent claims 41, 45, and 53 are allowable over Ogibuko at least for the reasons discussed above with respect to independent claims 35, 44, and 47, from which they respectively depend, as well as for their added features.

Added claims 55-68 also define over the applied prior art.

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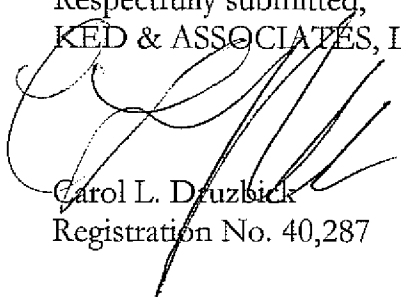
CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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